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**SUPREME COURT OF THE UNITED STATES**

**OCTOBER TERM, 1950**

**No. 395**

**ALABAMA PUBLIC SERVICE COMMISSION; GORDON PERSONS, ITS PRESIDENT, AND JIMMY HITCHCOCK AND C. C. (JACK) OWEN, ASSOCIATE COMMISSIONERS, AND A. A. CARMICHAEL, ATTORNEY GENERAL OF THE STATE OF ALABAMA,**

**VS.**

*Appellants,*

**SOUTHERN RAILWAY COMPANY, A CORPORATION,**

*Appellee.*

**MOTION**

Come the appellants in the above styled cause and show unto the Court that heretofore an appeal has been taken to this Honorable Court in the case of Alabama Public Service Commission, Gordon Persons, its President, and Jimmy Hitchcock and C. C. (Jack) Owen, Associate Commissioners, and A. A. Carmichael, Attorney General of the State of Alabama, appellants, vs. Southern Railway Company, a corporation, appellee, which appeal was docketed as Case No. 146, October Term 1950, and of which appeal

probable jurisdiction was noted by the Court on, to-wit, October 9, 1950;

That the parties in case No. 146 and this cause are the same and the questions of law involved in the two appeals are the same or closely similar;

That both cases involve questions of injunctions issued by specially convened three-Judge Federal District Courts convened under authority of United States Code, Title 28, Section 2281, in cases arising out of the orders of the Alabama Public Service Commission relating to applications by Southern Railway Company, the appellee in each case, to discontinue certain local train service in the State of Alabama.

Wherefore, appellants move that this case No. 395, and the earlier case No. 146, be heard together at the time set for hearing of this case No. 395.

Respectfully submitted,

A. A. CARMICHAEL,  
*Attorney General of Alabama.*

WALLACE L. JOHNSON,  
*Assistant Attorney General of Alabama.*

RICHARD T. RIVES,  
*of Counsel for Appellants.*

JOHN C. GODBOLD,  
*of Counsel for Appellants.*

